

10/26/01



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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53 (b))

Attorney Docket No.	70625
First Inventor	Clark, et al.
Title	STERILIZATION OF PACKAGES AND THEIR CONTENTS USING
Express Mail Label No.	EL 870 857 741 US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

- ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
- ☐ Applicant claims small entity status.
See 37 CFR 1.27.
- ☒ Specification [Total Pages]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the invention
 - Brief Summary of the invention
 - Brief Description of the drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the disclosure
- ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets]
- Oath or Declaration [Total Pages]
 - ☐ Newly executed (original or copy)
 - ☒ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
 - ☐ DELETION OF INVENTOR(S)
signed statement attached deleting inventor(s)
named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
- ☒ Application Data Sheet. See 37 CFR 1.76

- ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
- Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - ☐ Computer Readable Form (CRF)
 - Specification Sequence Listing on:
 - ☐ CD-ROM or CD-R (2 copies); or
 - ☐ paper
 - ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

- ☐ Assignment Papers (cover sheet & document(s))
- ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☐ Power of Attorney
- ☐ English Translation Document (if applicable)
- ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
- ☐ Preliminary Amendment
- ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
- ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
- ☐ Nonpublication Request under 35 U.S.C. 122
(b)(2)(B)(i) Applicant must attach form PTO/SB/35 or its equivalent
- ☒ Other: ...Invention and Secrecy Agreement (6 pgs) and Petition for Filing on Behalf of Nonsigning Inventor (9pgs)

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 09/326,168

Prior application information: Examiner David A. Vanore

Group Art Unit. 2881

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label



or ☐ Correspondence address below

Name				
Address				
City	State	Zip Code		
Country	Telephone	858-587-7644	Fax	858-552-0095

Name (Print/Type)	Thomas F. Lebens	Registration No. (Attorney/Agent)	38221
Signature		Date	October 26, 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. (DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

Complete if Known

Application Number	
Filing Date	
First Named Inventor	Clark et al.
Examiner Name	
Group Art Unit	
Attorney Docket No.	70625

TOTAL AMOUNT OF PAYMENT (\$ 1214

METHOD OF PAYMENT

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:

Deposit Account Number 06-1135
Deposit Account Name Fitch, Even, Tabin & Flannery

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
☐ Applicant claims small entity status. See 37 CFR 1.27

- 2.
- ☐
- Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION**1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	740	201	370	Utility filing fee	740
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$ 740

2. EXTRA CLAIM FEES

Total Claims		Extra Claims		Fee from below	Fee Paid
37	-20**=	17	X	18	306
5	-3**=	2	X	84	168
Multiple Dependent					

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	**Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 474

**or number previously paid, if greater, For Reissues, see above

FEE CALCULATION (continued)

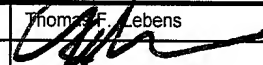
Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

SUBMITTED BY

Name (Print/Type)	Thomas F. Lebens	Registration No (Attorney/Agent)	38221	Complete (if applicable)	
Signature				Telephone	858-587-7644
				Date	26/OCTOBER/2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization of PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Clark, et al.
Application No.: 09/326,168
Filed: 6/4/99
For: PARAMETRIC CONTROL IN PULSED LIGHT
STERILIZATION
Group Art Unit:
Examiner:

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents Washington, D.C. 20231, on this date.

11/8/99

Date

Thomas F. Lebens

Reg. No. 38,221

Attorney for Applicant(s)

PETITION FOR FILING ON BEHALF OF NON-SIGNING INVENTOR
UNDER 37 CFR 1.47(a)

Applicant(s) hereby petition(s) under 37 CFR §1.47(a) for the filing of a patent application on behalf of a non-signing inventor. The available joint inventors make oath or declaration, in the enclosed declaration, on their own behalf under 37 CFR 1.63 and make oath or declaration on behalf of a non-signing joint inventor under 37 CFR 1.47(a). As such, the oath or declaration is signed by all of the available joint inventors with the line for the signature of the non-signing inventor left blank, indicating that all of the non-signing joint inventors sign on behalf of the non-signing inventor (MPEP 409.03(a)(A)). The non-signing inventor, Dr. Joseph E. Dunn, 7108 Red Barn Road, Crystal Lake, IL 60012, refuses to sign the declaration.

This petition is accompanied by:

(X) A Statement of Facts in Support of Filing on Behalf of Nonsigning Inventor (37 CFR 1.47(a))

(X) The Petition Fee of \$130 (37 CFR 1.17(i))

(X) The Commissioner is hereby authorized to charge any additional fees which may be required in respect to this petition, or credit any overpayment, to Deposit Account No. 06-1135. Should no proper payment for this petition be enclosed, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1135. This sheet is filed in duplicate.

November 8, 1999

Thomas F. Lebens

Registration No. 38,221

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